

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

EDWARD GIVEN, pro se
Plaintiff,

v

ROBERT MURPHY,
Defendant

Docket No. 05-cv-11663
DEC 19 P 12:49
SUSAN J. SCHAFFNER, CLERK
DISTRICT OF MASS.
CLERK'S OFFICE
FILED

MOTION FOR ENLARGEMENT OF TIME

Now comes the Plaintiff, Edward Given, in the above entitled matter who moves this Honorable Court grant this motion for enlargement of time. in support thereof the Plaintiff states:

1. The Plaintiff is a citizen of the United States and of the Commonwealth of Massachusetts.
2. That the Plaintiff is incarcerated at the Nemansket Correctional Center as a civilly committed person pursuant to M G L c.123A and is in the direct custody of the defendant Robert Murphy (Murphy).
3. That during a telephone conversation with counsel (attorney David Hirsch) on November 27,2003 he was informed of a pending filing date of February 13,2007.
4. That also during this conversation the Plaintiff's

counsel Hirsch informed the plaintiff that he would be leaving his position here in the Commonwealth on December 21, 2006, and would no longer be able to represent him in this matter.

5. The plaintiff, is unable to represent himself in this matter before the Court because of his limited knowledge of the law.

6. That once informed of this issue, the plaintiff has been seeking representation by other counsel.

7. That as of this date, the plaintiff has been unable to secure counsel, and is deeply concerned about the possibility of not being able to meet the deadline of February 13, 2007.

8. The Plaintiff is relatively certain that he will be able to find representation if allowed this enlargement.

WHEREFORE, the plaintiff humbly prays this Honorable Court to grant this motion for an enlargement of time until May 13, 2007

Respectfully Submitted,


Edward Given, pro se
Nemansket Correctional Center
30 Administration Rd
Bridgewater MA 02324

Date: 12-16-06

VERIFICATION

I Edward Given do hereby verify and certify that all the facts in this statement are true to best of my personal knowledge.

Edward Given

Edward Given

Date: 12-16-06

CERTIFICATE OF SERVICE

I Edward Given do hereby certify that a true copy of this motion for enlargement of time was sent to the defendant's Attorney by prepaid first class mail on this day:

Ed Given

Edward Given

Edward Given
30 Administration Rd
Bridgewater MA 02324

December 16, 2006

Attorney David Hirsch
c/o C P C S
44 Bromfield St
Boston MA 02108

Re: Federal Habeas

Attorney Hirsch,

I am writing at this time to put my decision, requests and opinion on paper. The request is, that I be sent my entire file in regards to docket #05-cv-1163-NMG which is the federal writ of habeas corpus which was filed August 4, 2005 and is in front of Justice Gorton. You may remember that I made this request on December 6, 2006 during our phone conversation, at which time you said, "I don't have time to take it apart." Where you once again failed to notify me of a filing deadline as the clock ticked away for nine (9) days all the while knowing that you would be leaving your position was to say the very least was reckless. It is my decision and it is very apparent that I must once again take control of this case. Therefore I must demand that you remove yourself from this case, or I will motion the court to remove you.

I received word from Attorney Marcucci that after talking with you, that he is not in a position to assist me, and therefore I've filed the motion for enlargement of time with the court. I will once again say how important it is that I receive this file, so that I may prepare to write the memorandum of law. I will be looking forward to receiving it in a timely manner